

Fact Sheet 120 Identity Theft and Children

This guide will cover a number of topics:

- About this crime
- Moment of discovery
- Potential impact
- Record clearance and “Do I need an attorney?”
- Should the Social Security Number be changed?
- Emotional impact
- Resources

Child Identity Theft occurs when a child’s identity is used by another person for the imposter’s personal gain. The perpetrator may be a family member or someone known by the family. It could also be a stranger who purposely targets children because of the lengthy time between the theft of the information and the discovery of the crime.

There are some cases that appear to be identity theft but are not. Receiving a pre-approved credit card offer in your child’s name might upset you as a parent. However, it might only be an innocent marketing tool sent by an affiliate of your bank because you opened a college fund for your child. (Please refer to [ITRC Fact Sheet 120B](#) – *A Guide for Parents – Child Identity Theft Indicators*.) A quick check of credit reports will help you sort out the truth. Currently, all three reporting agencies are automated systems. You should contact them and request a credit report for your child. If you are told that there is no credit report, that is good news. The reality is that a credit report should not exist until that child’s first credit application as an adult.

In some of the topic areas, we will be dividing the discussion by victim types. They are:

- **Adult/child victims:** Adults who found out that their identity was stolen as a child
- **Child victims:** Children who have a relative who finds out about the crime

ABOUT THIS CRIME:

Financial identity theft occurs when the Social Security Number (SSN) and name is used to establish new lines of credit.

What most people do not understand is that credit issuers do not have a way to verify the age of the applicant. The information on the application is typically taken at face value. This is particularly true with telephone and Internet applications. In person, few credit issuers request proof of identity, a driver’s license for instance. Even then, many clerks have not been trained on how to recognize counterfeited or altered licenses. For these reasons and others, issuers often will not know the true age of the applicant. This is a fault within our system that needs to be rectified.

A second mistaken concept is that the credit reporting agencies (CRAs) know that this application must be fraudulent because the applicant is a minor. Unfortunately, there is little, if any, sharing of information about the age of a person between the CRAs and the Social Security Administration. The age of the applicant becomes “official” with the first credit application. For example, if the first application indicates that the applicant is 24, the credit agencies believe that person is 24 until a dispute is filed and proven.

Criminal identity theft occurs when a person “borrows” the information of the minor to get a driver’s license or uses the child’s identity when caught in a criminal act. This person may be an undocumented worker who bought the information or a relative who has had a license suspended or revoked.

Identity assumption is when an identity thief uses an identity for financial, criminal, and governmental purposes. The most frequent users of personal information, in our experience, are undocumented workers or people who are trying to “restart” their financial lives and/or avoid arrest. Identity thieves might also take advantage of the death of an infant or child. They go back into old newspaper records or death certificates (often found on the Internet) and find a person who would match the current imposter’s age. Then either counterfeit documents are created or official birth certificates are purchased through normal channels.

The ease in purchasing birth certificates depends on state laws. You should make sure your state is a “closed access” state, meaning that a limited number of people are allowed access to this information. For details on “Identity Theft and the Deceased” please refer to [ITRC Fact Sheet 117](#).

MOMENT OF DISCOVERY:

Parents or relatives of child/victims are usually the first to notice something is not quite right. Some of these cases involve split families (one of the parents is the perpetrator, and the crime is exposed by the other, unoffending parent). Discovery often comes:

- When attempting to open a savings account or college fund for the child. In this scenario, an unoffending parent discovers that there is already an account with that SSN or that the new account is denied due to a bad check record
- When numerous credit cards, checks, pre-approved credit card offers, bills or bank statements are received in the name of the child
- When collection agencies call or send letters about accounts not opened by the child
- When a teen is denied the right to get a driver’s license because another person has a license with that SSN as ID. The imposter may even have accumulated tickets or citations in the child’s name
- While going through papers during a divorce or while straightening up the house (Parental identity theft)
- When law enforcement comes to the door with a warrant for an arrest of the child

Adult/Child Victims typically find out in the same manner as adult victims of identity theft, when they:

- Are denied credit, mortgage or loan for a vehicle or college tuition
- Are unable to open a bank or checking account
- Receive collection notices in the mail or by telephone
- Are denied tenancy, utility or phone service
- Are denied driver’s license renewal
- Are discharged from a job or continually and unexplainably denied employment
- Have been receiving bills or credit cards they never requested, perhaps for years
- Are arrested for an activity they never committed
- Are denied SSI or welfare services

POTENTIAL IMPACT:

Perhaps these examples will help to explain the problem more clearly.

Situation One: Adult/Child Victim

In this case, the perpetrator may be a relative or a stranger. The 18-year-old student doesn’t find out until he or she eventually applies for a college loan, a driver’s license, an apartment, a job or credit. It may be 10 –15 years from the time the information is stolen until the crime is discovered. By that point, the crime trail is cold and the devastation to this child’s credit record is great. Almost all accounts have gone to collection. The original account may have gone through several hands with company mergers

and sell-outs. This makes it difficult to track down original application and transaction records. Usually the criminal will have used the information until the credit history is destroyed and he/she can no longer get credit using that identity. The adult/child has not checked his/her credit report because he/she didn't even know one existed.

The potential impact: The inability to get a college loan, driver's license, apartment, car, house, credit card or even several nights spent in jail while trying to prove one's innocence.

Situation Two: Child Victim

The parent finds out about the problem and is faced with the tedious task of proving that his/her child did not open the accounts. In fact, they may often have to prove that the child is a child. They are placed in the position of being the primary investigator in the case and to uncover where the breach occurred, all while cleaning up the mess.

Situation Three: Parental Identity Theft and the Child Victim

In this case, the parent has destroyed his/her own credit or driving record. Instead of repairing the damage done to their own records, this parent begins to use the information of the child he/she should be protecting. This person may even convince themselves that the all the bills will be paid on time and that this action will not impact the child. Rarely does this happen. Not only do these imposters not clean up their own records, they usually fall behind on the bills under the "new" identity.

Both the eventual financial burden and the emotional impact on this child are great. Unfortunately, most law enforcement agencies hesitate to get involved, believing that this type of case falls into the jurisdiction of "family law." *It does not.*

RECORD CLEARANCE AND "DO YOU NEED AN ATTORNEY?"

Child Victims: Parents will have to act on their behalf

- Follow the procedures on [ITRC Fact Sheet 120A](#) – *To Order a Credit Report for a Child*, report the crime to the police, and contact the credit issuers to clear your child's records (see [ITRC Letter Form 120](#) – *Request a Child's Credit Report*). Even if there is no credit report, there is a possibility that something might show up later. Check reports again when the child is 16
- You will need a copy of the child's birth certificate for most requests
- Only speak with fraud investigators when contacting credit issuers or collection agencies
- Refer to [ITRC Fact Sheet 106](#) - *Organizing Your Identity Theft Case*
- For accounts that have gone to collection, use [ITRC Fact Sheet 116](#) - *Collection Agencies and Identity Theft*, designed to help you in that situation
- Point out that the child is a minor and that by law is not permitted to enter into a contract.
- Ask to have all accounts, application inquiries and collection notices removed immediately from your child's credit report. You can do this via the credit issuer or through a dispute process with the credit reporting agencies ([ITRC Letter Form 100-3](#)). ITRC recommends that you make the request of both groups. In the end, the credit issuer is the final decision maker as to whether to accept the claim of fraud or not.
- Request copies of all application and transaction records ([ITRC Letter Form 100-1](#)). Make copies and provide those to the police investigating the case. They may help you discover how this crime occurred.
- In the area of criminal identity theft, please use the [ITRC Fact Sheet 110](#) - *Criminal Identity Theft* specifically written for that purpose. You may have to provide an alibi for the children i.e., school attendance records or a doctor's appointments.

Do you need an attorney?

That depends on the offender or person who is using the information. If the offender is a parent or relative, or if this is a case that could be tied into a custody or divorce issue, it may be necessary to involve a family law attorney. This is especially true in joint custody cases. If you have joint custody of the child, timing is critical. If you fear that the offending parent might run off with the child, seek the advice of your attorney as to timing, legal actions that might assist you in protecting the safety of the child, or the need to involve child protective services.

- If the offender is a relative, you might find that law enforcement is reluctant to get involved. You will have to convince them that you will stand up for your child's rights. It is essential that a case of child identity theft is not passed to the family law courts, but is recognized as the criminal crime it is: *identity theft and financial fraud*.
- Do you need to contact the police? If the imposter is a stranger, don't hesitate to contact the police. However, we do understand that calling the police is a sensitive topic if the imposter is someone you know. Please read through our information in [ITRC Fact Sheet 115 – When You Personally Know the Identity Thief](#). If you wish to discuss how this will impact you, the imposter, your child and your family, please do not hesitate to contact ITRC at 888-400-5530.

Adult/child Victims:

- Follow the procedures found in [ITRC Fact Sheet 100 – Financial Identity Theft - The Beginning Steps](#), which includes contacting the three credit reporting agencies, reporting the crime to the police, and notifying the credit issuers so you can clear your records.
- Only speak with fraud investigators when contacting credit issuers or collection agencies.
- Keep a detailed log. This log should the name, phone number, and title of each person with whom you speak and summary of the conversation. You may want to use [ITRC Fact Sheet 106](#) to help you organize your case.
- For accounts that have gone to collection, refer to [ITRC Fact Sheet 116](#).
- Point out that you were a minor at the time the account was opened, and by law were not permitted to enter into a contract. In many situations, you will need to submit a copy of your birth certificate; so if you don't have a copy of it, get one now.
- Ask to have all accounts, application inquiries and collection notices removed (or blocked) immediately from your credit report. You can do this via the credit issuer or through a dispute process with the credit reporting agencies. ([LF 100-3 – Requesting a Fraudulent Inquiry to be Removed](#)). ITRC recommends that you make the request of both groups. In the end, the credit issuer is the final decision maker as to whether or not to accept your claim of fraud.
- Request copies of all application and transaction records still available. Make copies and provide those to the police investigating the case. You may find out how this crime occurred. Please refer to [LF 100-1 - Initial Victim of Identity Theft Statement and Fraudulent Account Information Request to Credit Issuers and/or Merchants](#).
- If this is a case of criminal identity theft, please refer to the [ITRC Fact Sheet 110](#).

Do you need an attorney?

Each case is unique and the situation will dictate the need for an attorney. However, in many cases an attorney is not able to do anything you cannot do for yourself. There are always exceptions to this rule, so please feel free to contact us with any of your questions: itrc@idtheftcenter.org or toll-free at 888-400-5530.

- Try to get the support of other family members. They may help you fill in some of the gaps and provide a shoulder to lean on. They must also be notified that their information may also be in jeopardy.
- Should you contact the police? If the imposter is a stranger, don't hesitate to contact the police. However, we do understand that calling the police is a sensitive topic if the imposter is someone you know. Please read through [ITRC Fact Sheet 115 – When You Personally Know the Identity Thief](#). If you wish to discuss how this will impact you, the imposter, and your family, please do not hesitate to contact the ITRC at 888-400-5530.

SHOULD THE SOCIAL SECURITY NUMBER BE CHANGED?

The Social Security Administration (SSA) has very strict standards about granting new a Social Security Number. We recommend that you read our [ITRC Fact Sheet 113 - Should I Change My Social Security Number](#), in which many of the specifics are detailed. Please contact ITRC if you decide to proceed. Contact the SSA by calling (800) 772-1213 or by going on line: www.ssa.gov. Click on the following link for the SSA Electronic leaflet: [Identity Theft and Your Social Security Number](#).

In most circumstances, ITRC does not recommend that victims should apply for a new Social Security Number. However, some child identity theft victims can benefit from such an action. For instance, a young adult who has just started out in life benefits most from a Social Security Number change, if approved by SSA, because they are still in the process of getting college credits and starting a credit history.

EMOTIONAL IMPACT

Please read [ITRC Fact Sheet 108](#) – *Overcoming the Emotional Impact* and [ITRC Fact Sheet 115](#) - *When You Personally Know the Identity Thief*. These might assist you in understanding what the different emotions experienced by many victims.

Child Victims:

Stranger Theft: This crime can affect the way that your child sees the world. It is up to you to help him or her understand that criminals exist in this world, but that they don't have to control the way we live our lives.

- Don't feel the need to involve the child in the activities of clearing records. They don't need this type of education unless they are very mature and old enough.
- Expect rage, denial, embarrassment, fear and misplaced anger. Children act out their feelings more often than they express them. Keep telling them they are loved and that it is okay to express their feelings appropriately. Obviously, kicking walls is not acceptable.
- Drawing is another way some children express emotions. Allow them an opportunity to share their drawing if they wish, but don't push it. Let them lead the way; you are there to be available if and when they want you.
- Explain that identity thieves will not come and take them away, will not break into the house or hurt them physically. Reassure them that they are safe and that you will not let anyone hurt them. Other behaviors to watch for include nightmares, things they had outgrown such as bedwetting, or the fear of sleeping with the lights off. These are indicators of emotional trauma. Keep reassuring them.

Family Identity Theft: Now is not the time or the way to get back at your ex-spouse. Your child will have a difficult enough time with this emotionally. Don't add to his or her burden. You may want to seek therapy, especially in cases of child identity theft done by the other parent or a relative. This can affect the child's ability to trust or develop lasting relationships. Even adults struggle with this issue.

- The child needs to know that he or she did nothing to cause this. They need to understand that the parent made a choice. If you consider how you talked with your children about a divorce or separation, and remember the reactions to that discussion, the right words will come.
- Keep any discussion age specific. Clearly, an older child may want more information and be able to handle it. As with any adult discussion, let the child's questions guide your responses and keep it age appropriate. Do not embellish your answers. Keep them simple and to the point. The child will ask more if he or she wants to know more.
- Your emotions should not enter the conversation. Children often tune into your body language and your tone of voice more than what you say. Be aware of that and how it might taint the discussion. Try to help them understand that stealing is a symptom of a bigger problem.
- Finally, if the imposter is arrested and is also your child's other parent, clearly that issue will need to be discussed with older children. Let them guide you.

Finally, find resources to help you. Consider a good children's therapist who works with crime victims. (See the list at the end of this fact sheet for suggestions.)

Adult/Child Victims:

- If the offender is a parent or guardian: It is understandable for you to feel betrayed, violated, guilty and isolated. This is the person you should have been able to unconditionally trust. Hindsight is perfect and you probably saw signs of the problem long before you pieced together the puzzle.
- YOU DID NOT CAUSE THIS TO HAPPEN. This person is ill or has significant problems. We understand that knowing this doesn't eliminate or help ease the pain you are feeling.
- ITRC highly recommends that you seek counseling to help deal with the anger that may eventually boil up and with future trust issues. You have control over how this will ultimately affect your life, and therapy will help you in the healing process.
- If the offender is a stranger: It is common for you to feel distrustful and wonder about how this happened. Unless you uncover evidence that helps to reveal the offender, trying to reason out how this happened is a waste of time.
- Each person finds a different way to deal with this crime. Unfortunately, you will need to mature quickly. How this ultimately affects you depends on you, your support team and your ability to understand that one person does not represent the rest of the people you will ultimately meet in your life. To allow this one stranger to affect the rest of your life would be the tragedy - not the crime itself.

RESOURCES

Victim assistance professionals have long recognized the value of support groups and counseling for victims of crime. Both you and your child (in the case of child victims) are victims of crime, whether your police department recognizes it as such or not. In some cases, you can seek restitution for the services of a professional therapist should your case go to court.

The following is a partial resource list for those who may not be financially able to afford a private therapist themselves or who may need the name of a good therapy program. We also recommend you look in the front of your local phonebook under: Crisis Intervention; Psychologists; Marriage and Family Counseling; Clinical Social Workers; and Mental Health Professionals/Clinics.

- Local religious leader - your pastor, rabbi or minister
- Family Service Association
- Ask for a low-cost referral from your family physician
- School counselors, psychologists or principals
- YMCA Family Stress Counseling Services
- Your county Mental Health Association
- Many counties have Victim/Witness Assistance programs affiliated with your local district attorney or police departments. You might also look up a Victim Assistance unit of your state attorney general's office
- Many professional counseling associations refer clients to free or reduced cost programs.
- Local hospitals often maintain lists of both governmental and non-profit assistance programs. Some sponsor clinics and support programs. Talk with the mental health department.
- Many businesses have an Employee Assistance Program (EAP). You may want to talk with your HR representative to find out about its availability
- 12-step programs have been of value for some victims. Ones to consider include Al-anon, Ala-teen and Ala-tot.
- Older supportive family members or family friends

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